

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY - NEWARK

CARMEN GONZALEZ and MARLENE GORBARAN  
individually and on behalf of all other persons similarly  
situated who were employed by AMERICAN  
TECHNOLOGIES, INC. and QUALITY STAFFING  
SERVICES, INC., and/or any other entities affiliated  
with or controlled by AMERICAN TECHNOLOGIES,  
INC. and QUALITY STAFFING SERVICES, INC.,

Plaintiffs,

- against -

AMERICAN TECHNOLOGIES, INC. and QUALITY  
STAFFING SERVICES, INC.,

Defendants.

**Docket: 13-cv-07425-SDW-MCA**

**ORDER PRELIMINARILY  
APPROVING PROPOSED  
SETTLEMENT, APPROVING  
PLAINTIFFS' PROPOSED NOTICE  
OF CLASS ACTION SETTLEMENT  
AND SETTLEMENT PROCEDURE,  
AND APPROVING PROPOSED  
PROOF OF CLAIM FORM AND  
RELEASE**

The above-titled matter came before the Court by Plaintiffs' unopposed Motion for Preliminary Approval of Settlement, Approval of Plaintiffs' Proposed Notice of Class Action Settlement and Settlement Procedure, and Approval of Claim Form ("Motion for Preliminary Approval").

**I. Preliminary Approval of Settlement and Class Notice**

1. Based upon the Court's review of the Declaration of Lloyd Ambinder ("Ambinder Declaration"), and all other papers submitted in connection with Plaintiffs' Motion for Preliminary Approval, the Court grants preliminary approval of the Settlement memorialized in the Settlement Agreement and Release ("Settlement Agreement"), attached to the Ambinder Declaration as Exhibit 1.

2. The Court finds that the Settlement Agreement is the result of extensive, arm's-length negotiations.

3. The Court approves the proposed form of Notice to the Class attached to the Ambinder Declaration as Exhibit 2.

4. The Court approved the proposed Claim Form attached to the Ambinder Declaration as Exhibit 3.

5. Pursuant to Federal Rule of Civil Procedure 23(c)(2)(B), a notice must provide:

the best notice that is practicable under the circumstances, including individual notice to all members who can be identified through reasonable effort. The notice must clearly and concisely state in plain, easily understood language: (i) the nature of the action; (ii) the definition of the class certified; (iii) the class claims, issues, or defenses; (iv) that a class member may enter an appearance through counsel if the member so desires; (v) that the court will exclude from the class any member who requests exclusion, (vi) the time and manner for requesting exclusion; and (vii) the binding effect of a class judgment on class members under Rule 23(c)(3).

Fed. R. Civ. P. 23(c)(2)(B).

6. The Notice satisfies each of these requirements and adequately puts class members on notice of the proposed settlement.

7. The Notice and Claim Form shall be printed in English.

8. The Notice and Claim Form shall be mailed to the last known mailing address of each member of the Class. Defendants shall provide a mailing list containing the last known address of each Class member within 20 days of the entry of this Order.

9. For every member of the Class who provided his or her place of residence at the time of hire or sometime during their employment with Defendants, the Claims Administrator shall perform a skip trace to ascertain the last known address of every Class member whose Notice and Claim Form is returned without a forwarding address.

10. The law firm of Virginia & Ambinder, LLP is designated counsel to the Class.

11. RG Claims Administration, LLC is designated as the class administrator to administer the settlement process.

### III. Class Action Settlement Procedure

12. The Court hereby sets the following settlement procedure:

30 days after entry of Implementing Order:  _____ 2016	Mailing of Class Notice.
45 days after date of mailing of Notice of Proposed Class Action Settlement:  _____ 2016	Last day for Class Members to "opt out" of the Settlement or to submit written objections to the Settlement.
45 days after date of mailing of Notice of Proposed Class Action Settlement:  _____ 2016	Last day for Class Members to qualify as a Claimant by filing claim form to join the settlement.
10 days prior to Fairness Hearing  _____ 2016	Date for Parties to file proposed Final Order, summary of claims made and application in support of proposed Final Settlement.
June 4th @ 10:30 2016 a.m.	Final Settlement approval hearing ("Fairness Hearing").

It is so ORDERED this 5<sup>th</sup> day of February, 2016.

Hon. Susan Wigenton  
United States District Judge